

Am

Notice of Allowability

Application No.

09/889,497

Examiner

Lorna M. Douyon

Applicant(s)

YAMAGUCHI ET AL.

Art Unit

1751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment dated February 10, 2006.
2. ☒ The allowed claim(s) is/are 1, 5-8, 12-16, 3 renumbered 1-11 respectively.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Lorna M. Douyon
Lorna M. Douyon
Primary Examiner
Art Unit 1751

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Richard Gallagher on May 8, 2006.

2. The application has been amended as follows:

- 2.1. In claim 1, line 20, after "receiver," the following has been added:

--wherein the mass base frequency W_i is obtained by dividing the weight of the classified granules on each sieve or on the receiver by an entire weight of the detergent composition,-- (support is found on page 4, lines 5-8).

- 2.2. In claim 3:

- a) line 1, "a" before "high-density" has been replaced with --the--;

- b) line 1, after "composition", the phrase --of claim 1-- has been added;

- c) lines 2-9 have been deleted.

- 2.3. In claim 16, line 3, the phrase "15% or less by weight of a water soluble inorganic salt and" has been deleted.

- 2.4. In the Abstract of the Disclosure:

- a) lines 3-7, the phrase "An object of the present invention is to provide . . . hand-washing dissolubility. The present invention relates to a" has been deleted;

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b) line 7, --A-- has been added before “high-density”, and “comprising” has been replaced with --comprises--;

c) line 17, the comma “,” after “receiver” has been deleted.

d) lines 17-22, the phrase “and the dissolving rate . . . as defined according to JIS Z 8801” has been deleted.

STATEMENT OF REASONS FOR ALLOWANCE

3. The following is an examiner’s statement of reasons for allowance:

Upon careful consideration, the present claims are found to be allowable over each of Nakamura and Joshi, the close prior art or record, in view of Applicants’ arguments on pages 8 and 9 of their response dated February 10, 2006. The cancellation of independent claim 2 renders moot the rejection based upon Joshi. With respect to the rejection based upon Nakamura, this reference fails to teach a detergent composition wherein the mass base frequency (i.e. weight of the classified granules on each sieve or on the receiver divided by the entire weight of the detergent composition) of classified granules having a size of more than 710 μm and less than 1000 μm of 0.1 or less, as well as the relationship of each mass base frequency as required in the claims, i.e. [classified granules having a particle size of 1000 μm or more] \leq [classified granules having a particle size of 710 μm or more and less than 1000 μm] \leq [classified granules having a particle size of 500 μm or more and less than 710 μm]. The particle size distribution disclosed in Nakamura such that there is a 1% (0.01) residue in the 10 mesh (2.0 mm) sieve, 55% (0.55) residue in the 10-24 mesh (2.00 mm to about 710 μm) sieve, 42% (0.42) residue in the 24-60 mesh (about 710 μm to 250 μm) sieve, and 2% passing a 60 mesh (250 μm) sieve fails to satisfy

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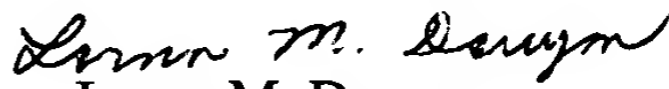
the required mass base frequency and hence would not satisfy the recited formula required in the instant claims. Accordingly, the subject matter, as a whole, would not have been obvious to one of ordinary skill in the detergent art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lorna M. Douyon whose telephone number is (571) 272-1313. The examiner can normally be reached on Mondays-Fridays from 8:00AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas McGinty can be reached on (571) 272-1029. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Lorna M. Douyon
Primary Examiner
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